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ATTORNEY FOR THE DEBTORS

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF WYOMING

In re	)	
	)	Case No. 14-20143
NICHOLAS DAVID RINGLER,	)	
MANDY LANE RINGLER,	)	CHAPTER 13
	)	
Debtor.	)	

WYOMING COMMUNITY DEVELOPMENT AUTHORITY	)
ITS ASSIGNS AND SUCCESSORS,	)
	)
MOVANT,	)
	)
vs.	)
	)
NICHOLAS DAVID RINGLER AND MANDY LANE	)
RINGLER, MARK R. STEWART, TRUSTEE	)
	)
RESPONDENTS.	)

**DEBTORS' RESPONSE TO WYOMING COMMUNITY DEVELOPMENT AUTHORITY'S  
MOTION FOR RELIEF FROM AUTOMATIC STAY**

The Debtors respond to Wyoming Community Development Authority's (WCDA) request filed with the Court on August 8, 2014, that the automatic stay imposed upon creditors under Section 362(a) of the Bankruptcy Code (11 USC §362(a)) be removed so it can initiate foreclosure proceedings of the Debtors' personal residence located at 555 Avenue D in Powell, Park County, Wyoming, as follows:

1. Admit paragraphs 1, 2, 3, 4, 5, 6 and 10.
2. Deny paragraphs 15 and 16.

3. As alleged in paragraphs 7 and 8, the Debtors admit they have not made their pre-petition payments due WCDA under the terms of the April 14, 2010 mortgage and promissory note for August, 2013, through March, 2014. On March 4, 2014, they filed a Chapter 13 bankruptcy petition as alleged in paragraph 7 of WCDA's motion. The Debtors also admit, except for April, 2014, they have not made a post-petition payment to WCDA. They, however, affirmatively allege that (a) they have made all of their plan payments to the Chapter 13 Trustee, Mark R. Stewart, since April 22, 2014, but the Trustee does not disperse or distribute any funds to creditors paid in until a debtor's Chapter 13 Plan has been confirmed by the Court; and (b) they are in the process of obtaining the necessary funds to become current in their mortgage payments by liquidating some of Debtor, Mandy Ringler's mother's retirement investments and will pay the required funds to WCDA no later than September 10<sup>th</sup>.

4. As to paragraphs 9 and 11, the Debtors are without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in those paragraphs.

5. The Debtors admit that the value of the property is approximately \$164,049.00, but deny that it is of inconsequential value to the bankruptcy estate, as alleged in paragraph 12.

6. The Debtors affirmatively allege WCDA's interest in the property is adequately protected because the Debtors' equity in the property exceeds the current mortgage indebtedness, not including attorney's fees, accrued interest, outstanding charges, foreclosure expenses, escrow deficiency and bankruptcy costs.

7. With regard to paragraph 13 of the motion, the Debtors deny that WCDA will suffer irreparable injury, loss and damages if it is not granted relief from the automatic stay.

8. The Debtors would appreciate any information and assistance WCDA could provide them regarding a potential Forbearance Agreement, Loan Modification, Refinance Agreement, or other Loan Workout/Loss Mitigation Agreement as offered in Paragraph 14.

9. For the reasons stated above, WCDA is, therefore, not entitled to relief from the automatic stay, since its interests in the property are adequately protected.

August 27, 2014.

/s/ James S. Allison

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JAMES S. ALLISON

**CERTIFICATE OF SERVICE**

I, JAMES S. ALLISON, Attorney for the Debtors, served a copy of the Debtors' Response to WCDA's Motion for Order Granting Relief from Automatic Stay upon U.S. Assistant Attorney, Daniel J. Morse, Mark R. Stewart, Standing Chapter 13 Trustee, and Danette Baldacci, attorney for WCDA, by placing a copy an envelope with the postage prepaid, addressed to them at:

Daniel J. Morse  
Assistant U.S. Trustee  
308 West 21st Street, Room 203  
Cheyenne, WY 82001

Mark R. Stewart  
Standing Chapter 13 Trustee  
P.O. Box 865  
Cheyenne, WY 82003-0865

Danette Baldacci  
Crowley Fleck, PLLP  
Attorneys at Law  
101 West Brundage  
Sheridan, WY 82801

which envelopes were deposited in the United States Mail at Powell, Wyoming, on August 27, 2014.

/s/James S. Allison

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JAMES S. ALLISON